

City of Burien

BURIEN PLANNING COMMISSION

October 28, 2015

7:00 p.m.

Multipurpose Room/Council Chambers

MINUTES

To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Curtis Olsen called the October 28, 2015, meeting of the Burien Planning Commission to order at 7:00 p.m.

ROLL CALL

Present: Jim Clingan, Butch Henderson, Curtis Olsen and Brooks Stanfield

Absent: Joel Millar, Amy Rosenfield, and Douglas Weber

Administrative staff present: David Johanson, senior planner; Chip Davis, Community Development Department director; Brandi Eyerly, planner

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Henderson, to approve the agenda for the October 28, 2015, meeting. Motion passed 4-0.

APPROVAL OF MINUTES

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Henderson, and passed 4-0 to approve the minutes of the October 14, 2015, meeting.

PUBLIC COMMENT

Anna Friel, 11232 26th Ave S., said she watched the video of the public hearing on her requested rezone and she felt there was some misleading information presented about the neighborhood near her property. She said the houses to the immediate north and south of her are not owner-occupied. She said there are sidewalks on 26th Avenue and the school bus stop is at the driveway for the apartments across the street, so children aren't walking in the street. She also said the traffic goes from 116th straight to the apartment complex. She said a concern was expressed about having an apartment complex next to a freeway, but she said she thinks that would be a better use than having multiple single-family houses next to a freeway. She said she doesn't understand how Planning staff can say her request doesn't meet the criteria for rezone when a similar property at 12010 26th Ave S wasn't rezoned in 2013 the way hers was; she said it isn't fair. She reminded the commissioners that her request is for restoration of the previous zoning designation. She said she understood that part of the annexation of what is now North Burien was an agreement that the zoning wouldn't change; she believes the City has violated such an agreement.

Commissioner Henderson asked when the Friels purchased the property and did they intend at that time to take advantage of the multi-family zoning. She said they purchased it in 2012 as an investment for the future.

Commissioner Clingan remarked that the property still has development potential for single-family homes.

Jim Solaegui, 11219 25th Ave SW, asked that the limit on the number of goats that can be kept on a residential lot not be increased as he believes their food and water attract vermin and noxious insects.

OLD BUSINESS

Because the rezones under consideration are quasi-judicial in nature, David Johanson, senior planner, asked the commissioners questions related to any personal or financial interests they might have in the requests and whether any of them have had ex parte communications with the proponents or opponents of the requests. All responded that they do not. He then reminded them that their role is to render a recommendation to the City Council based on the record before the planning commission and may not consider evidence or testimony outside the record presented to it.

A. Discussion and Recommendation regarding 2015 Comprehensive Plan Amendment, MS Properties Rezone Request, PLA 15-0391

The request is to change the Comprehensive Plan designation of four parcels from Office to High-density Multi-family Neighborhood and to change the zoning designation from Office to Residential Multi-family-48 (RM-48). Mr. Johanson said the request met the criteria for approval.

Commissioner Clingan said he recently drove through the area and found it to be a unique neighborhood. He said he thinks maximum use of the properties in question might be beneficial to the neighborhood. Commissioner Henderson said he understood the applicant to say that new development on the vacant parcel will attract a better clientele than do the older apartments on the adjacent parcels, which will be good for the neighborhood.

Commissioner Stanfield says there does seem to be a mismatch between the existing multi-family housing and the adjacent single-family neighborhood. He said he was wondering if an RM-18 designation, as opposed to RM-48, was discussed at the last meeting as a type of transition between the two uses. He said he believes some compromise will have to happen if anything is developed on the vacant parcel. He said he doesn't feel the street can accommodate high-density development.

Commissioner Clingan asked if there are ways for the Planning staff to require improvements to alleviate the parking situation with the apartments if the vacant parcel was to be developed.

Mr. Johanson replied that when a parcel is developed there are requirements to be met concerning adequate parking and proper access, as well as things like private and common recreation space, building height, stormwater management and others. He noted that the City cannot go back and retroactively apply today's standards on buildings built back in the 1960s, as were the apartment buildings on the surrounding parcels. Mr. Johanson said the question before the commission is "is this the appropriate land use designation based on the criteria that we have in our Comprehensive Plan and Zoning Code?" He said the total number of units that may be developed on a multi-family parcel do not always match the zoning designation once things like parking and recreation space are included.

Chair Olsen said that with the emphasis lately of focusing growth in the urban center, this seems like a reasonable request.

Direction/Action

Commissioner Stanfield moved the Planning Commission recommend to the City Council approval of the Comprehensive Plan amendment request from Office to High-density Multi-family Neighborhood and zoning map amendment from Office (O) to Residential Multi-family-48 (RM-48) and adopt the

findings and conclusions as presented in the staff report. Commissioner Henderson seconded the motion. Motion carried 4-0.

B. Discussion and Recommendation regarding 2015 Comprehensive Plan Amendment, Friel Rezone Request, PLA 15-0430

In response to a question from Commissioner Henderson, Mr. Johanson said that when the area was annexed into Burien, during the transition to Burien the City attempted to match the existing zoning to what was already there with the understanding that the City would at some point do a community planning process to evaluate if the zoning was appropriate. During that process each of the different corridors was examined, three different alternatives were considered, there were open houses and hearings, and the result was the zoning designations now in place.

Direction/Action

Commissioner Clingan moved the Planning Commission recommend to the City Council denial of the Comprehensive Plan amendment request from Moderate Density Single-family Residential to Moderate Density Multi-family Neighborhood and zoning map amendment from Residential Single-family-7,200 (RS 7,200) to Residential Multi-family-18 (RM-18) and adopt the findings and conclusions as presented in the staff report. Commissioner Stanfield seconded the motion.

Commissioner Clingan recalled, as a planning commissioner at the time of the annexation, that the City knew Burien's zoning would not match the existing King County zoning designations, hence the public planning process. He recalled that since everything on the east side of 26th Avenue South south of 112th is developed as single-family housing, the decision was made to change the zoning to match the current land use.

Commissioner Stanfield asked if there was any discussion at the previous meeting about the slope on the property. Mr. Johanson replied that he recalled that there was, but it wouldn't present as potentially big an issue as the stream on the north property line might.

Motion carried 3-1.

C. Discussion and Recommendation regarding 2015 Comprehensive Plan Text Amendments

Mr. Johanson provided a quick review of the proposed map and text amendments.

Referring to item #6, which addresses climate change, Commissioner Clingan said he is not convinced climate change is manmade; therefore, regarding the proposed Comprehensive Plan policy language, he thinks the more general proposed Policy SU 6.2 is sufficient. He surmised that proposed Policy SU 6.1 might be too much for skeptics such as himself.

Commissioner Henderson agreed that Pol. SU 6.2 is probably sufficient for Burien, which can then follow the lead of larger jurisdictions such as King County.

Chair Olsen noted that in cities there is a phenomenon known as "urban heat island effect," where in dense cities there are higher temperatures resulting from the infrastructure of the urban density, vehicular traffic, buildings, roadways, etc., absorbing and radiating heat. He said Pol. SU 6.1 is a way to mitigate the effects of increased urban density while being less resource intensive. He said the benefits would trickle down to the human environment.

Commissioner Stanfield said that a policy on climate change signals to our peers and ourselves that we are accepting the challenges of today and we're trying to do better and take part by coming up with changes. He said he feels compelled by what he hears from his children to honor their desire to have climate change addressed and prefers to leave Pol. 6.1 in as a value statement.

Direction/Action

Commissioner Stanfield moved the Planning Commission recommend to the City Council approval of the Comprehensive Plan amendments as set forth in the October 21st staff memo and associated attachments. Commissioner Henderson seconded the motion. Motion carried 3-1.

NEW BUSINESS

A. Introduction to 2015 Zoning Code Amendments, Keeping of Animals and text corrections

Chip Davis, Community Development director, said this topic will be on the City Council's agenda beginning with the first meeting in December, so the commission has a few meetings to work with it. He noted there will be a public hearing at the commission's Nov. 4 meeting.

Brandi Eyerly, planner, reviewed the proposed amendments to the Keeping of Animals code with the commissioners.

Chair Olsen said he would like to see clear definitions of goat and miniature goat.

Commissioner Stanfield, referring to the desire to allow two or more herd animals, asked where the limit of one animal per one-quarter acre available for the animal's occupancy originated, since it limits people's ability to have more than one of those animals. Ms. Eyerly said that figure was recommended as a minimum by the local goat adoption organization.

Under beekeeping, Chair Olsen asked for the definition of a hive. Ms. Eyerly said a hive is a box roughly 16 inches wide by 19 inches long by 19 inches high that can be stacked on another hive. Mr. Davis noted that *beehive* is defined in the Zoning Code as "a structure designed to contain one colony of honeybees (*apis mellifera*).” Chair Olsen noted that under Beekeeping, the second half of item A is the same as item B.

Mr. Davis reminded commissioners that they will have a public hearing on the keeping of animals amendments and the minor Zoning Code amendments at their Nov. 4 meeting. He then briefly reviewed the proposed minor amendments.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

Mr. Davis noted that the next two commission meetings could be the end of the year if the commission finishes its work. The December 23rd meeting likely will be canceled because it is so close to Christmas.

ADJOURNMENT

Direction/Action

Commissioner Henderson moved for adjournment; Commissioner Stanfield seconded. Motion carried unanimously. The meeting adjourned at 8:48 p.m.

APPROVED: November 18, 2015

/s/ Curtis Olsen, chair

Planning Commission